

Equality, Good Relations and Human Rights Screening Template

*****Completed Screening Templates are public documents and will be posted on the Trust's website*****

See [Guidance Notes](#) for further background information on the relevant legislation and for help in answering the questions on this template (follow the links).

(1) Information about the Policy/Proposal

(1.1) Name of the policy/proposal

Individual Funding Requests for new drug treatments

(1.2) Is this a new, existing or revised policy/proposal?

New

(1.3) What is it trying to achieve (intended aims/outcomes)?

Outline the process for applying for approval for funding of a drug which has not been commissioned by HSC or the patient's clinical condition represents an unusual or rare circumstance and one likely to occur very infrequently.

Request on the basis of exceptionality – defined by HSCB as '*an individual whose clinical circumstances are outside the range of clinical circumstances presented by at least 95% of patients with the same medical condition at the same stage of progression as the named patient*'.

AND

Is likely to gain significantly more benefit for the intervention than might normally be expected for patients with that condition.



(1.4) Are there any Section 75 categories (see list in 3.1) which might be expected to benefit from the intended policy/proposal?

Sex and ethnicity may in some cases make the exceptionality more likely in particular patient groups for example some of the targeted oral chemotherapy.

(1.5) Who owns and who implements the policy/proposal - where does it originate, for example DHSSPS, HSCB?

Paperwork and process developed by HSCB- this policy details the process to be followed in SET to ensure the HSCB process is adhered to.

(1.6) Are there any factors that could contribute to/detract from the intended aim/outcome of the policy/proposal/decision? (Financial, legislative or other constraints?)

Decision re exceptionality is screened internally by a scrutiny panel before submitting to HSCB, HSCB panel make the decision though the decision can be appealed.

(1.7) Who are the internal and external stakeholders (actual or potential) that the policy/proposal/decision could impact upon? (staff, service users, other public sector organisations, , trade unions, professional bodies, independent sector, voluntary and community groups etc)

Internal stakeholders

Medical staff

Director of finance

Assistant directors

Head of Pharmacy



External stakeholders

Patient

HSCB

Other HSC Trusts

Pharma companies

Patient client counsel

Patient support groups

General Practitioners

(1.7) Other policies with a bearing on this policy/proposal (for example regional policies) - what are they and who owns them?

Managed introduction of new drugs and HSCB commissioning decisions (HSCB own them)

(2) Available evidence

Evidence to help inform the screening process may take many forms. What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for relevant Section 75 categories.

<i>Details of evidence/information</i>
<p>HSCB correspondence, process and application form (part of this policy)</p> <p>HSCB commissioning decisions re NICE TA</p>

(3) Needs, experiences and priorities

(3.1) Taking into account the information above what are the different needs, experiences and priorities of each of the Section 75 categories and for both service users and staff.

Category	Needs, experiences and priorities	
	Service users	Staff
Gender	For some conditions one sex may have a better response/prognosis when a particular drug us Rx	N/A
Age	Commissioners may impose an age cut off for approving drugs for exceptional use	N/A
Religion	N/A	N/A

Political Opinion	N/A	N/A
Marital Status	n/a	N/A
Dependent Status	n/a	N/A
Disability	n/a	N/A
Ethnicity	For some drugs ethnic groups may be genetically or metabolically more likely to have a better response to treatment making them more likely to meet the criteria for exceptionality	N/A
Sexual Orientation	n/a	N/A

(3.2) Provide details of how you have involved stakeholders, views of colleagues, service users and staff etc when screening this policy/proposal.

The policy was developed using HSCB procedure and definitions/criteria for exceptionality. The policy was circulated for consultation within SET and discussed with cancer services in particular as they will be the main users.

(4) Screening Questions

You now have to assess whether the impact of the policy/proposal is major, minor or none. You will need to make an informed judgement based on the information you have gathered.

(4.1) What is the likely impact of equality of opportunity for those affected by this policy/proposal, for each of the Section 75 equality categories?

Section 75 category	Details of policy/proposal impact		Level of impact? Minor/major/none
	Services Users	Staff	

Gender	For some conditions one sex may have a better response/prognosis when a particular drug is Rx		Minor
Age	Commissioners may impose an age cut off for approving drugs for exceptional use		None
Religion	N/A		None
Political Opinion	N/A		None
Marital Status	N/A		None
Dependent Status	N/A		None
Disability	N/A		None
Ethnicity	For some drugs ethnic groups may be genetically or metabolically more likely to have a better response to treatment making them more likely to meet the criteria for exceptionality		Minor
Sexual Orientation	N/A		none

(4.2) Are there opportunities to better promote equality of opportunity for people within Section 75 equality categories?

Section 75 category	Please provide details
Gender	No
Age	no

Religion	n/a
Political Opinion	n/a
Marital Status	n/a
Dependent Status	n/a
Disability	n/a
Ethnicity	no
Sexual Orientation	n/a

(4.3) To what extent is the policy/proposal likely to impact on good relations between people of different religious belief, political opinion or racial group? minor/major/none

Good relations category	Details of policy/proposal impact	Level of impact Minor/major/none
Religious belief		None
Political opinion		None
Racial group		None

(4.4) Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?

Good relations category	Please provide details
Religious belief	None

Political opinion	None
Racial group	None

(5) Consideration of Disability Duties

(5.1) How does the policy/proposal encourage disabled people to participate in public life and promote positive attitudes towards disabled people?

The policy meets the needs of those with a disability and will not hinder their participation in public life. The Trust considers the requirements of the DDA when delivering a service to its patients and clients.

(6) Consideration of Human Rights

(6.1) Does the policy/proposal affect anyone's Human Rights?
Complete for each of the articles

Article	Positive impact	Negative impact = human right interfered with or restricted	Neutral impact
Article 2 – Right to life	X		
Article 3 – Right to freedom from torture, inhuman or degrading treatment or punishment			√
Article 4 – Right to freedom from slavery, servitude & forced or compulsory labour			√

Article 5 – Right to liberty & security of person			√
Article 6 – Right to a fair & public trial within a reasonable time			√
Article 7 – Right to freedom from retrospective criminal law & no punishment without law			√
Article 8 – Right to respect for private & family life, home and correspondence.			√
Article 9 – Right to freedom of thought, conscience & religion			√
Article 10 – Right to freedom of expression			√
Article 11 – Right to freedom of assembly & association			√
Article 12 – Right to marry & found a family			√
Article 14 – Prohibition of discrimination in the enjoyment of the convention rights			√
1 st protocol Article 1 – Right to a peaceful enjoyment of possessions & protection of property			√
1 st protocol Article 2 – Right of access to education			√

Please note: If you have identified potential negative impact in relation to any of the Articles in the table above, speak to your line manager and/or Equality Unit. It may also be necessary to seek legal advice.

(6.2) Please outline any actions you will take to promote awareness of human rights and evidence that human rights have been taken into consideration in decision making processes.

The Trust has a robust strategy of staff training and awareness raising for Equality, Diversity and Human Rights.

(7) Screening Decision

(7.1) Given the answers in Section 4, how would you categorise the impacts of this policy/proposal?

Major impact	
Minor impact	X
No impact	

(7.2) Do you consider the policy/proposal needs to be subjected to ongoing screening

Yes	
No	√

(7.3) Do you think the policy/proposal should be subject to and Equality Impact Assessment (EQIA)?

Yes	
No	X

(7.4) Please give reasons for your decision and detail any mitigation considered.

The Trust has written the policy based on the HSCB policy and process for approving medicines based on exceptionality. For some drugs one sex may have a better response/prognosis when using a particular drug and for some drugs ethnic groups may be genetically or metabolically more likely to have a better response to treatment. Therefore any possible minor impact can be mitigated by the medical and clinical decision process and established criteria.

As most of these requests will be for anticancer drugs there may be a positive impact with regard to Article 2 the right to life.

The Trust undertakes to monitor this policy for any future possible adverse



impact to any of the nine categories.

(8) Monitoring

Please detail how you will monitor the effect of the policy/proposal for equality of opportunity and good relations, disability duties and human rights?

The Head of Pharmacy and Medicines Management and HSCB will monitor IFRs and decisions from the Trusts scrutiny panel and HSCB panel

The Complaints and Compliments procedure within the Trust will also be used to monitor patients experience of the policy and decisions made.

Approved Lead Officer: Jill Macintyre

Position: Head of Pharmacy and Medicines Management

Date: 10/3/13

Policy/proposal screened by: Jill Macintyre

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